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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

8 SABLE SMITH,

9 Plaintiff,

CASE NO. C18-1672RSL

10 v.

11 ORDER REQUIRING MORE  
12 DEFINITE STATEMENT

12 NICCOLLAS BLACKWELL,

13 Defendant.

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15 On November 28, 2018, plaintiff's application to proceed *in forma pauperis* was  
16 granted and her complaint was accepted for filing. The complaint alleges that the Court  
17 has diversity jurisdiction and that plaintiff is a citizen of Michigan, defendant is a citizen  
18 of Georgia, and the amount in controversy is \$1,000,000. Based on those allegations,  
19 this district does not appear to be the proper venue for plaintiff's civil action. The  
20 relevant portions of 28 U.S.C. § 1391(b) provide that a civil action may be brought in  
21 the judicial district where defendant resides or where a substantial part of the events  
22 giving rise to the claim occurred. There does not appear to be any tie between the  
23 Western District of Washington and either the parties or the claims.


24 In addition, plaintiff's complaint does not give rise to a plausible inference that  
25 plaintiff is entitled to relief. Plaintiff alleges that defendant is a government employee  
26 and that she deserves "justice for the cruel and painful things that have happened to me

1 by the defendant for I don't know how long including stalking." Dkt. # 3 at 2 and 5. The  
2 complaint contains nothing more than conclusory allegations from which one might  
3 infer that defendant invaded plaintiff's privacy, stalked, emotionally abused, and  
4 threatened her, and deprived her of physical and mental health. There are no factual  
5 allegations supporting these accusations: no indication of the relationship between  
6 defendant and plaintiff (*i.e.*, how and why they came into contact) or what defendant did  
7 to invade plaintiff's privacy or otherwise harass her. It is entirely possible, based on the  
8 bare allegations provided, that plaintiff is complaining about a police investigation or an  
9 adverse social security determination or any number of other lawful instances in which  
10 the government inserts itself into the lives of its citizens in sometimes invasive ways.  
11 Federal Rule of Civil Procedure 8(a)(2) requires "a short and plain statement of the  
12 claim showing that the pleader is entitled to relief." Absent a plausible claim and/or  
13 facts that suggest such a claim, plaintiff's complaint fails to satisfy this test.

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15 For all of the foregoing reasons, the Court declines to issue summons in this  
16 matter. Plaintiff is hereby ORDERED to file on or before **January 8, 2019**, an amended  
17 complaint which clearly and concisely states facts showing that venue is proper in this  
18 district under 28 U.S.C. § 1391 (or any other venue statute) and identifies the acts of  
19 which Mr. Blackwell is accused and how those acts violated plaintiff's legal rights. The  
20 key to filing an acceptable amended complaint will be providing enough facts that one  
21 could conclude that plaintiff has a right to relief that is as least plausible. The amended  
22 complaint will replace the existing complaint in its entirety. Failure to timely file an  
23 amended complaint that shows that venue is proper and asserts a plausible claim for  
24 relief will result in dismissal of this action.

1 The Clerk of Court is directed to place this Order Requiring More Definite  
2 Statement on the Court's calendar for consideration on Friday, January 11, 2019.

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4 Dated this 29th day of November, 2018.

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6 Robert S. Lasnik  
United States District Judge